DETAILED ACTION

Examiners Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given via a memo received from Luminita A Todor on 10/26/2009 in an email.

The application has been amended as follows:

Replace previous claim 17 with the following:

17. A semiconductor device, comprising:

a coding/decoding circuit performing coding and decoding a given signal in one of a plurality of coding/decoding modes of different bit rates, the plurality of coding/decoding modes including a first mode in which the given signal is recorded/reproduced on a recording medium, and a second mode in which the given signal is not recorded/reproduced on the recording medium but is output; and

a control circuit automatically setting a first bit rate corresponding to the first mode according to a remaining storage capacity A (bytes) of the recording medium, wherein said control circuit lowers the first bit rate when the remaining storage capacity A is less than a predetermined value, and a second bit rate of the second mode is equal to or larger than the first bit rate

Allowable Subject Matter

2. Claims 1 – 3, 5 – 14 and 16 – 22 (renumbered 1 – 20) are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter:

Independent claim 1 identifies the unique distinct feature "wherein the predetermined bit rate is equal to or larger than a bit rate determined by the control part based on a remaining capacity of the recording medium in the first mode".

The closet prior art, Inoue et al (US 5504759) discloses a coding/decoding part performing coding and decoding a given signal (fig 5 and 7) in one of a plurality of coding/decoding modes of different bit rates (fig 10, col 15, line 65 to col 16, line 12) but does not disclose wherein the predetermined bit rate is equal to or larger than a bit rate determined by the control part based on a remaining capacity of the recording medium in the first mode

Hence claim 1 is allowed.

Since claims 2 and 3 are dependent on claim 1, therefore they are also allowed.

Therefore claims 1 – 3 are allowed over prior art.

Independent claims 8, 12 and 19 identify the unique distinct feature "wherein a bit rate of the second mode is equal to or larger than a bit rate determined by the control part based on a remaining capacity of the recording medium in the first mode".

Hence claims 8, 12 and 19 are allowed.

Since claims 9 - 11 are dependent on claim 8, claims 13 and 14 are dependent on claim 12 and claims 20 - 22 are dependent on claim 19, therefore they are also allowed.

Therefore claims 8 – 11, 12 - 14 and 19 - 22 are allowed.

Independent claim 16 identifies the unique distinct feature "wherein: the control circuit sets the bit rate further depending on a time T (seconds) of recording

reserved, a maximum available recording bit rate Rmax (bps), and a minimum available recording bit rate Rmin (bps), and said control circuit determines the bit rate R (bps) by which the recording is performed to satisfy the following formula:

T x R/8 (less than or equal to) A

wherein, R = Rmax when R > Rmax; and R = Rmin when R < Rmin."

Since claim 5 is dependent on claim 16, therefore it is allowed.

Independent claim 17 identifies the unique distinct feature "a control circuit automatically setting a first bit rate corresponding to the first mode according to a remaining storage capacity A (bytes) of the recording medium, wherein said control circuit lowers the first bit rate when the remaining storage capacity A is less than a predetermined value, and a second bit rate of the second mode is equal to or larger than the first bit rate."

Since claim 6 is dependent on claim 17, therefore it is allowed.

Independent claim 18 identifies the unique distinct feature "wherein: the control circuit sets the bit rate further depending on a time T (seconds) of recording reserved, a maximum available recording bit rate Rmax (bps), and said control circuit determines the bit rate R (bps) by which the recording is performed to satisfy the following formula:

T x R/8 (less than or equal to) A

wherein, R = Rmin when R < Rmin."

Since claim 7 is dependent on claim 18, therefore it is allowed.

Hence claims 1 – 3, 5 – 14 and 16 – 22 are allowed over prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y. H. /
10/22/2009

/Thai Tran/
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